

111TH CONGRESS
1ST SESSION

H. R. 382

To create a separate DNA database for predators against children, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2009

Ms. JACKSON-LEE of Texas introduced the following bill; which was referred
to the Committee on the Judiciary

A BILL

To create a separate DNA database for predators against
children, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Save Our Children:
5 Stop the Predators Against Children DNA Act of 2009”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Based on sexual assaults reported to law
9 enforcement, there are more 14-year old victims of
10 sexual assault than victims of any other age.

1 (2) In 2007, there were more victims of sexual
2 assault between ages 3 and 17 than in any indi-
3 vidual age group over age 17, and more victims age
4 2 than in any age group over 40.

5 (3) Children, like 5-year-old Samantha Runnion
6 of California, who was abducted, sexually violated,
7 and murdered, are most likely to be victims of sexual
8 assault, with over one-third of all sexual assaults in-
9 volving a victim who was under the age of 12.

10 (4) One of every 7 victims of sexual assault is
11 under the age of 6.

12 (5) Murder is the only major cause of childhood
13 deaths that has increased over the past three dec-
14 ades.

15 (6) Between 300,000 and 400,000 children are
16 victims of some type of sexual abuse or exploitation
17 every year.

18 (7) More attention should be given to seeking
19 solutions to sexual assault, exploitation, and abuse
20 of children.

21 **SEC. 3. DNA DATABASE FOR PREDATORS AGAINST CHIL-**
22 **DREN.**

23 (a) IN GENERAL.—The Attorney General shall estab-
24 lish and maintain, separate from any other DNA data-
25 base, a database solely for the purpose of collecting the

1 DNA information with respect to predators against chil-
2 dren. Under regulations issued by the Attorney General,
3 Federal, State, and local agencies and other entities may
4 submit DNA information to the Attorney General for in-
5 clusion in the database and may compare DNA informa-
6 tion against other DNA information in the database.

7 (b) AUTHORIZATION OF APPROPRIATIONS.—There
8 are authorized to be appropriated \$500,000 to establish
9 and maintain the database required by subsection (a) for
10 fiscal years 2010 through 2012.

11 **SEC. 4. INCENTIVE GRANTS.**

12 (a) PROGRAM AUTHORIZED.—From amounts made
13 available to carry out this section, the Attorney General
14 shall make grants to each State that has in effect one or
15 more programs that decrease the rate of recidivism among
16 predators against children, for use by the State to imple-
17 ment improvements to such programs.

18 (b) AUTHORIZATION OF APPROPRIATIONS.—There
19 are authorized to be appropriated to carry out this section
20 such sums as may be necessary for fiscal years 2010–
21 2012.

22 **SEC. 5. CONSEQUENCES FOR PREDATORS AGAINST CHIL-**
23 **DREN.**

24 Notwithstanding any other provision of law, if a per-
25 son who is a predator against children commits a crime

1 that would, in and of itself, establish that person as a
2 predator against children, the sentence imposed on that
3 person for that crime shall, without regard to any miti-
4 gating circumstance that would otherwise apply at sen-
5 tencing, be the maximum authorized by law.

6 **SEC. 6. DEFINITION.**

7 (a) IN GENERAL.—As used in this Act, the term
8 “predator against children” means a person who commits
9 a sex crime against the person of an individual who has
10 not attained the age of 18 years.

11 (b) STATUTORY RAPE EXCEPTION.—The term
12 “predator against children” shall not include a person who
13 commits a sex crime against the person of an individual
14 who has not attained the age of 18 years if—

15 (1) the individual against whom such crime was
16 committed has attained 16 years of age or older;

17 (2) the person who commits such crime is not
18 more than 4 years older than such individual; and

19 (3) the conduct resulting in the commission of
20 such crime was consensual.

21 (c) REGULATIONS.—Not later than one year after the
22 date of the enactment of this Act, the Attorney General
23 shall issue regulations relating to the definition of “sex

- 1 crime” as used in the definition of “predator against chil-
- 2 dren” under this section.

